

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ERIC FLORES, §
§
Plaintiff, § CIVIL ACTION NO. 5:21-CV-00011-RWS-KPJ
§
v. §
§
UNITED STATES DEPARTMENT OF §
JUSTICE, *et al.*, §
§
Defendants. §

ORDER

Plaintiff Eric Flores, an inmate proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Plaintiff alleges that state and federal agencies failed to investigate corrupt officials who apparently killed an entire family in order to stop Plaintiff from complaining to law enforcement about these officials. Docket No. 1 at 4. He also claims that the administrations of President George H.W. Bush and President George W. Bush used a lawsuit he filed to overcome articles of impeachment against them (*id.* at 6) and that state agencies are retaliating against him through a satellite in outer space, which can alter the genetic code of Plaintiff's uncle and cause his uncle to suffer heart pain (*id.* at 8).

After review of the pleadings, the Magistrate Judge determined these allegations lacked an arguable basis in law or fact and should be dismissed as frivolous. Docket No. 5 at 1 (citing *Scott v. Texas Dep't of Crim. Just., Stiles Unit*, 830 F. App'x 151, 152 (5th Cir. 2020)); *see also Neitzke v. Williams*, 490 U.S. 319, 325–27 (1989)). The Magistrate Judge also recommended dismissing the suit for failure to state a claim. *Id.* The Magistrate Judge further noted that this filing is one of a

lengthy series of frivolous filings from Plaintiff. *Id.* at 2. He has accumulated three strikes within the meaning of 28 U.S.C. § 1915(g) and therefore cannot proceed *in forma pauperis* absent a showing of imminent danger of serious physical injury. *Id.* In addition, Plaintiff has been sanctioned a total of \$1,100.00 by the Fifth Circuit Court of Appeals in six separate cases and barred from further filing absent leave of court until he pays the sanctions in full. *See Initial Case Check, Flores v. U.S. Dep’t of Just., et al.*, No. 21-11203 (Dec. 10, 2021 letter by the Fifth Circuit Office of the Clerk).

Plaintiff has not satisfied these sanctions and has ignored multiple warnings. He filed several lawsuits between September 2020 and March 2021, each raising similarly frivolous and nonsensical allegations. The Magistrate Judge therefore recommended that no further lawsuits be accepted from Plaintiff unless such lawsuit is filed by a licensed attorney enrolled to practice in the Eastern District of Texas and the full filing fee is paid at the outset of the case. Docket No. 5 at 2–3.

Plaintiff filed objections complaining the Magistrate Judge’s Report referred to “fabricated documents resembling legitimate court judgments to dismissed previous lawsuits filed by petitioner in which is used as a legal basis to not allow petitioner to proceed *in forma pauperis* to file the instant civil case.” Docket No. 10 at 1.

The Fifth Circuit has stated that “to recount the characteristics and history of this prisoner’s litigation is to foreshadow what we must do with it.” *Vinson v. Texas Board of Corrections*, 901 F.2d 474, 475 (5th Cir. 1990). A *de novo* review demonstrates that the Magistrate Judge’s Report is correct and Plaintiff’s objections are entirely without merit. Plaintiff fails to specify the specific finding or recommendation to which his objection is being made nor does he specify any place in the Magistrate’s proposed findings, conclusions or recommendation where the disputed determination is located. It is accordingly

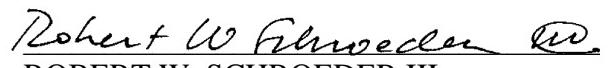
ORDERED that Plaintiff's objections are overruled and the Report of the Magistrate Judge (Docket No. 5) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim upon which relief may be granted. It is further

ORDERED that the Court shall accept no further lawsuits from Plaintiff Eric Flores, TDCJ-CID No. 02051801, unless such lawsuit is filed by a licensed attorney enrolled to practice in the Eastern District of Texas and upon payment of the full filing fee at the initiation of the case. Any new lawsuit received from Plaintiff that does not meet both of these conditions shall be returned by the Clerk of Court or discarded, at the sole discretion of the Clerk. It is further

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 13th day of April, 2022.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE